

REMARKS/ARGUMENTS

The Office action dated September 18, 2008 has been carefully considered. Claims 34-67 are active in this application. Reconsideration and further examination of claims 34-67 are respectfully requested. Applicant has cancelled claims 34-39, 42, 66 and 67 without prejudice. Applicant has amended claims 40, 43 and 56 to clarify claim scope. No new matter has been added. In the Office Action mailed on September 18, 2008, the Examiner allowed claims 50-65. The Examiner rejected claims 34-39, 42 and 66 pursuant to 35 U.S.C. § 102(b) as being anticipated by WIPO Patent No. WO/2002/009305, filed February 14, 2002, and issued to Smee et al. (Smee). The Examiner rejected claim 67 pursuant to 35 U.S.C. § 103(a) as being anticipated by Smee in view of U.S. Patent No. 5,852,630, filed March 30, 1998, and issued to Langberg et al. (Langberg et al). The Examiner objected to claims 40, 41, and 43-49 as being dependent upon an objected claim, but indicated that claims 40, 41, and 43-49 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Applicant thanks the examiner for this indication and agrees with the examiner.

Claim Objections

The Examiner objected to claims 40, 41, and 43-49 as being dependent upon an objected claim, but indicated that claims 40, 41, and 43-49 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Applicant has amended claims 40, 43, and 46 such that claims 40, 41, and 43-49 have been rewritten in independent form including the limitations of the base claim and any intervening claims as suggested by the Examiner.

35 U.S.C. §102(b): Smee

The Examiner rejected claims 34-39, 42 and 66 pursuant to 35 U.S.C. § 102(b) as being anticipated by Smee. Applicant has cancelled claims 34-39, 42 and 66 without prejudice.

35 U.S.C. §103(a): Smee in view of Langberg

The examiner rejected claim 67 pursuant to 35 U.S.C. § 103(a) as allegedly being unpatentable over Smee in view of Langberg. Applicant has cancelled claim 67 without prejudice.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Applicant therefore respectfully requests that a timely Notice of Allowance be issued in this case.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of the application, the Examiner is invited to telephone the undersigned at the number provided.

If there are any other fees due in connection with the filing of the response, please charge the fees to our Deposit Account No. 17-0026. If a fee is required for an extension of time under 37 CFR 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Dated: December 12, 2008

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